

WILMERHALE

Peter J. Macdonald

+1 212 937 7223(t)

+1 212 230 8888(f)

peter.macdonald@wilmerhale.com

November 22, 2011

VIA FAX

Honorable Cathy Seibel
United States District Court for the Southern District of New York
The Honorable Charles L. Brieant Jr. Federal Building and United States Courthouse
Room 218
300 Quarropas Street
White Plains, NY 10601-4150

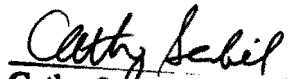
Re: *Bozella v. County of Dutchess, et al*, No. 10 Civ. 4917 (S.D.N.Y.)

Dear Judge Seibel:

I write on behalf of Dewey R. Bozella, the Plaintiff in the above-referenced action, to provide the Court with an update to the letter we submitted earlier today. In that letter, we requested an extension of time until December 12, 2011 to file a single reply brief, not exceeding 20 pages, in response to the City of Poughkeepsie's ("City's") and County of Dutchess's ("County's") separate opposition briefs, and in further support of Mr. Bozella's Motion for Reconsideration.

We noted in our letter that we had emailed counsel for the City and the County to ask whether they would consent to our request. We had not heard from them at the time we submitted the letter. Counsel for the City and County have both since informed us by email that they do not oppose Mr. Bozella's request.

Respectfully submitted,


Application Granted / ~~Denied~~
Se
Cathy Seibel, U.S.D.J.

Dated: 11/23/11


Peter J. Macdonald

Wilmer Cutler Pickering Hale and Dorr LLP, 399 Park Avenue, New York, New York 10022

Beijing Berlin Boston Brussels Frankfurt London Los Angeles New York Oxford Palo Alto Waltham Washington

WILMERHALE 

FACSIMILE

Date November 22, 2011

(t)
(f)To Hon. Cathy Seibel
United States District JudgeFax 914-390-4278
Telcc David Gandin
Jacobowitz & Gubits LLPFax 845-778-5173
TelDavid L. Posner
McCabe & Mack LLP

845-486-7621

Patrick T. Burke
Burke, Miele & Golden LLP

845-294-7673

From Peter J. Macdonald

Pages 3 (including cover)

Re Bozella v. County of Dutchess, et al., No. 10-cv-4917 (S.D.N.Y.)

Wilmer Cutler Pickering Hale and Dorr LLP, 399 Park Avenue, New York, New York 10022

Beijing Berlin Boston Brussels Frankfurt London Los Angeles New York Oxford Palo Alto Waltham Washington

This facsimile transmission is confidential and may be privileged. If you are not the intended recipient, please immediately call the sender or, if the sender is not available, call +1 212 230 8800 and destroy all copies of this transmission. If the transmission is incomplete or illegible, please call the sender or, if the sender is not available, call +1 212 230 8800. Thank you.

WILMERHALE

November 22, 2011

Peter J. Macdonald

VIA FAX

+1 212 937 7223(t)

+1 212 230 8888(f)

peter.macdonald@wilmerhale.com

Honorable Cathy Seibel
United States District Court for the Southern District of New York
The Honorable Charles L. Brieant Jr. Federal Building and United States Courthouse
Room 218
300 Quarropas Street
White Plains, NY 10601-4150

Re: *Bozella v. County of Dutchess, et al*, No. 10 Civ. 4917 (S.D.N.Y.)

Dear Judge Seibel:

I write on behalf of Dewey R. Bozella, the Plaintiff in the above-referenced action, to request an extension of time until December 12, 2011 to file a single reply brief, not exceeding 20 pages, in response to the City of Poughkeepsie's ("City's") and County of Dutchess's ("County's") separate opposition briefs, and in further support of Mr. Bozella's Motion for Reconsideration.

Mr. Bozella's motion was filed on October 15, 2011. Defendants City, County, and William O'Neill sought and received from the Court an unopposed 30-day extension to file briefs in opposition. On November 21, 2011, the City filed an opposition brief and the County and Mr. O'Neill filed a joint opposition brief. Per Local Rule 6.1 and Rule 2.B of the Court's Individual Practices, Mr. Bozella's reply briefs would be due November 28, 2011 and Mr. Bozella would be allotted 10 pages for each reply brief.

Mr. Bozella has not made any previous requests for an extension of time in connection with this motion.

Earlier today we wrote an email to counsel for the City and the County requesting that they inform us by this afternoon whether they would consent to our request. We have not received any responses at this time. In light of the coming holiday, we are submitting this letter to the Court today so that our request may be considered before Mr. Bozella's current November 28, 2011 deadline.

Respectfully submitted,


Peter J. Macdonald

WILMERHALE


Honorable Cathy Seibel
November 22, 2011
Page 2

cc (by fax):

David Gandin, Esq.
Jacobowitz & Gubits LLP
158 Orange Avenue
Walden, NY 12586
Fax: (845) 778-5173
Counsel for Defendant City of Poughkeepsie

David L. Posner, Esq.
~~McCabe & Maske~~ LLP
63 Washington Street
P.O. Box 509
Poughkeepsie, NY 12602-0509
Fax: (845) 486-7621
Counsel for Defendant Robert DeMattio

Patrick T. Burke, Esq.
Burke, Miele & Golden LLP
40 Matthews Street, Suite 209
P.O. Box 216
Goshen, NY 10924
Fax: (845) 294-7673
Counsel for Defendants County of Dutchess and William J. O'Neill

WILMERHALE 

FACSIMILE

Date November 22, 2011

+1 212 937 7223 (t)
+1 212 230 8888 (f)
peter.macdonald@wilmerhale.comTo Hon. Cathy Seibel
United States District Court for the
Southern District of New YorkFax 914-390-4278
Tel

cc David Gandin, Esq.

Fax 845-778-5173

David L. Posner, Esq.

845-486-7621

Patrick T. Burke, Esq.

845-294-7673

From Peter J. Macdonald

Pages 3 (including cover)

Re **Eozella v. County of Dutchess, et al., No. 10 Civ. 4917 (S.D.N.Y.)**

Wilmer Cutler Pickering Hale and Dorr LLP, 399 Park Avenue, New York, New York 10022

Beijing Berlin Boston Brussels Frankfurt London Los Angeles New York Oxford Palo Alto Waltham Washington

This facsimile transmission is confidential and may be privileged. If you are not the intended recipient, please immediately call the sender or, if the sender is not available, call +1 212 230 8800 and destroy all copies of this transmission. If the transmission is incomplete or illegible, please call the sender or, if the sender is not available, call +1 212 230 8800. Thank you.